

**Notice of Allowability****Application No.**

10/816,716

**Applicant(s)**

MARKUS, ISIDORO NATALIO

**Examiner**

Art Unit

Rodney B. White

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the Amendment filed 3/22/2006.
2.  The allowed claim(s) is/are 15-20, renumbered 1-6.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

#### **In the Claims:**

15- (Currently Amended) A chair having a reclinable seat comprising in combination two supporting side frames, each side frame having at least one substantially horizontal member and substantially vertical leg members, said frames disposed in a spaced apart relationship by cross-rails, a seat disposed within said frames further having an upholstered bottom board and an upholstered back board connected together, the bottom board having front and rear edges, further comprising:

-means for supporting said seat including (1) a plurality of concentric circular ring sector shaped slots located on said horizontal members, and (2) a plurality of plastic runners connected to said seat bottom board and sliding in said slots; said slots having substantial end surfaces,

-the centers of said circular slots defining a virtual transverse axis of rotation of the seat;

-a lining material covering the lower paths of the slots; the slot paths having detent means to moveable moveably engage with corresponding detent means located on the runners;

-a plurality of runners moveably engaged into said slots and attached onto brackets that are securely connected to the bottom board, the runners having matching complementary surfaces with the lower paths of the slots, the runners having substantial end surfaces to that engage said ends of the slots;

-springs attached at one end to the horizontal members and at the other an opposite end to the bottom board to force forcing the runners against one of the slots ends of the slots, and

-cover plates fastened to the horizontal members having circular ring sector shaped slots concentric with the axis of rotation of the seat, the runners moveably engaged with respect to the cover plates slots of the cover plates, the ends of the slots having substantial surfaces to that stop the rotation of the runners.

16- (Currently Amended) A chair having a reclinable seat comprising in combination two supporting side frames, each side frame having at least one substantially horizontal member and substantially vertical leg members, said frames disposed in a spaced apart relationship by cross-rails,

a seat disposed within said frames further having an upholstered bottom board and an upholstered back board connected together, the bottom board having front and rear edges, further comprising:

- means for supporting said seat including (1) a plurality of concentric circular ring sector shaped slots located on opposite sides of said bottom board; and (2) a plurality of plastic runners attached to said horizontal members and sliding in within said slots, said slots having substantial end surfaces,

- the centers of said circular slots defining a virtual transverse axis of rotation of the seat;

- a lining material covering the lower paths of the slots; the slot paths having detent means to moveable moveably engage with corresponding detent means located on the runners;

- a plurality of runners moveably engaged into said slots and attached onto brackets that are securely connected to the horizontal members, the runners having matching complementary surfaces with the lower paths of the slots, the runners having substantial end surfaces to that engage said ends of the slots;

- springs attached at one end to the horizontal members and at the other an opposite end to the bottom board to force forcing the runners against one of the slot ends, and

- cover plates fastened to the bottom board having circular ring sector shaped slots concentric with the axis of rotation of the seat, the runners moveably engaged with

~~respect to~~ within the slots of the cover plates ~~slots~~, the ends of the slots having substantial surfaces to that stop the rotation of the runners.

17- (Currently Amended) A chair as described in claims 15 and or 16 whereby further comprising the circular ring sector slots that are placed into inserts.

18- (Currently Amended) A chair as described in claims 15 and or 16 whereby further comprising the runners are having wheels.

19- (Currently Amended) A chair as described in claims 15 and or 16 whereby whereby further comprising the horizontal members have having a channel shaped cross-section.

20- (Currently Amended) A chair as on claim 15 and or 16 whereby further comprising the virtual transverse axis of rotation is being horizontally located four to eight inches forward of the rear edge of said seat bottom board.

#### Remarks

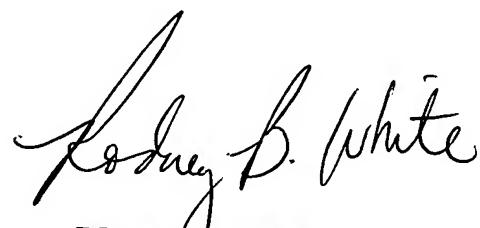
The claims were amended to correct or delete some unclear language in claims 15-16. Claims 17-20 were amended to correct the improper dependency and add the proper language for such multiple dependent claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney B. White,  
Patent Examiner  
Art Unit 3636  
April 14, 2006



RODNEY B. WHITE  
PRIMARY EXAMINER